

### **REMARKS**

Claims 1, 2-14, and 16-34 are presently pending in this application. Claims 2 and 15 are cancelled with this amendment. The Applicants respectfully request that Claims 1, 13, and 14 be amended as shown above. No new matter has been added by this amendment.

#### **Specification**

The disclosure has been objected to for failing to include parentage as required by MPEP 1893.03(c). This objection is overcome by the amendment of the specification herein. No new matter has been added by this amendment.

#### **Claim Rejections:**

##### **35 U.S.C §112**

The rejection of Claim 13 under 35 USC §112, second paragraph, as being indefinite, is respectfully traversed in light of the amendment to Claim 13 herein. Claim 13 had been amended to correct a typographical error, deleting the word 'acetone.' No new matter is added by this amendment. Withdrawal of the rejection of Claim 13 under 35 USC §112, second paragraph, as being indefinite, is therefore respectfully requested.

##### **35 USC §102**

The rejection of Claims 1-3 and 6-13 under 35 U.S.C. §102 (e) as being clearly anticipated by US 2002/0183552 A1 is respectfully traversed. Independent claims 1 and 14 have been amended herein to limit the water soluble base to the group consisting of alkali metal and alkaline earth metal sulfates, sulfides, phosphates, carbonates, bicarbonates, nitrates, phosphates and phosphinates. The cited reference does not disclose the use of any base other than metal

hydroxides (see paragraph 11) and sodium hydroxide specifically (see paragraph 12.) As the cited reference does not include each and every component of the claim as amendment, the rejection under 35 U.S.C. 102 (e) is properly withdrawn. As each of the remaining claims is ultimately dependent on amended Claim 1 or 14, the dependent claims are also in condition for allowance. Withdrawal of the rejection of Claims 1-3 and 6-13 under 35 U.S.C. §102 (e) as being clearly anticipated by US 2002/0183552 A1 is therefore respectfully requested.

It is respectfully submitted that the rejection of Claims 26 and 29 under 35 U.S.C. §102 (b) as being anticipated by WO 2004/075841 is improper, as this is the PCT publication of the instant national phase application. It is therefore respectfully requested that the rejection of Claims 26 and 29 under 35 U.S.C. §102 (b) as being anticipated by WO 2004/075841 be withdrawn.

35 U.S.C. §103

The rejection of Claims 4 and 17 under 35 U.S.C. §103 as being unpatentable over 2002/0183552 A1 is respectfully traversed in light of the amendments to Claims 1 and 14. Claims 1 and 14 have been amended to overcome the cited reference as discussed above. Claims 4 and 17, ultimately dependent thereon, are patentable for this reason. Withdrawal of the rejection of Claims 4 and 17 under 35 U.S.C. §103 as being unpatentable over 2002/0183552 A1 is therefore respectfully requested.

If any issue regarding the allowability of any of the pending claims in the present application could be readily resolved, or if other action could be taken to further advance this application, or if the Examiner should have any questions regarding the present amendment, it is

Amendment A  
Inventor(s) Name: Sidney Liang  
Attorney Docket No.: 1626 WO/US

respectfully requested that the Examiner please telephone Applicant's undersigned attorney in this regard.

Respectfully submitted,  
Mallinckrodt Inc.

Date: March 27, 2007

Christine R. Cooke

Christine R. Cooke

Reg. No. 50,546

Telephone Number 314.654.3939

Facsimile 314.654.3156

Mallinckrodt Inc.  
675 McDonnell Boulevard  
St. Louis, Missouri 63042